

**JUSTIFICATION AND APPROVAL (J&A)
FOR OTHER THAN FULL AND OPEN COMPETITION**

CLASS FAIR OPPORTUNITY EXCEPTION JUSTIFICATION

- 1. The Office of Acquisition Management is conducting this acquisition for continuous services for security at the International Narcotics and Law Enforcement (INL) Strip Mall. A Non Chief of Mission facility in Kabul used to support Embassy foreign assistance programs and Third Party Contractor subject matter experts housed at Camp Gibson, Camp Falcon, the DEA Compound and the Afghan National Investigative Unit/Special Investigative Unit, as well as mobile security support for advisory missions under INL's Corrections Systems Support Program (CSSP), Justice Sector Support Program (JSSP) and Interdiction task orders. The estimated cost is**
[REDACTED]

- 2. Nature and/or description of the action being approved.**

The International Narcotics and Law Enforcement Bureau, Afghanistan and Pakistan (INL/AP), request to utilize a bridge contract that reproduces the security services currently provided by DynCorp International under the Security sub-task of contract SLMAQM04C0030, Afghanistan Civilian Advisory Support (ACAS) and Pacific Architects and Engineers (PAE) under the Security subtask of contract SLMAQM-04-C-0033 Civilian Police (CIVPOL) and Task Order (TO) SAQMPD07F0885 Interdiction and for an additional 12 month base and two six month options or until the new World Protective Services-II, (WWS-II) Contract has been awarded [REDACTED]

- 3. A description of the supplies or services required to meet the Department's needs.**

Continue to provide security, including through the use of the Afghan Public Protection Force (APPF), to include but not limited to a qualified, fully-trained security force to physically protect designated personnel, property, and facilities from criminal, insurgent, or terrorist attacks in a manner that complies with Afghan law. This responsibility includes, but is not limited to providing Intelligence/Tactical Operations Center (TOC) functions, security assessments, qualified security personnel, security details for those facilities or personnel exempt from the services of the APPF, facility security (gates, towers, roving patrols, etc.), security transport (when necessary, such as to and from Kabul International Airport) for designated personnel (security detail or APPF support) and other related security functions (assessments, explosive ordnance detection, etc.) in direct support of the personnel and property at Camps Gibson and Falcon.

4. An identification of the statutory authority permitting other than full and open competition.

This Justification and Approval seeks approval based on the statutory authority of 41 U.S.C 253 (c) (2), and based on regulatory authority sited under Federal Acquisition Regulation (FAR) Part 6.302-1, Only One Responsible Source and No Other Supplies or Services will Satisfy Agency Requirements.

5. A demonstration that the proposed contractor's unique qualification or the nature of the acquisition requires use of the authority cited.

In Afghanistan's post-2014 security and political environment, there is a need for ongoing static security at the INL Strip Mall, a non-Chief of Mission facility in Kabul used to support Embassy foreign assistance programs and Third party Contract subject matter experts. This security is currently provided by DynCorp International and Pacific Architects and Engineers (PAE) under task orders off the CIVPOL base contract. These task orders will expire on December 31, 2014. Because the base contract has expired, INL cannot extend these task orders beyond December 31, 2014. The Criminal Justice Program Support (CJPS) base contract that replaced CIVPOL includes only life and mission support, not security. Consistent with [REDACTED] guidance, INL intends to obtain these security services through a task order under WPS-II. [REDACTED] has authorized INL to utilize two bridge contracts that reproduce the security services currently provided by DynCorp International and PAE, until such time as DS and AQM can establish the WPS-II contract, along with the associated task order to fulfill INL's Third Party Contract security requirements in Afghanistan.

6. A description of efforts made to ensure that offers are solicited from as many potential sources as is practicable.

This J&A along with a notice of intent to sole source will be posted to the Government Point of Entry to meet the requirements of FAR 5.201.

7. A determination by the Contracting officer that the anticipated cost to the Government will be fair and reasonable.

The Contract Officer Representative (COR) will conduct a technical review of the proposal to ensure it is a reasonable reflection of the effort that will be required. Furthermore, a comparison of historical costs paid for by the Department for the same/similar service will be made to ensure the cost to the Government will be fair and reasonable.

8. A description of the market survey conducted and the results or a statement of the reasons a market survey was not conducted.

A market survey was not conducted due to the complexity and the potential impact to the mission for the relative short duration of the bridge contract contemplated

9. Any other facts supporting the use of other than full and open competition.

CJPS was developed to provide Life and Mission Support (LMS) and programmatic support; security was specifically not allowed under the contract. As part of INL's Afghanistan transition plan, INL is consolidating all of the O&M and life support under one LMS task order to eliminate redundancy and consolidate these functions under one contract mechanism. AQM awarded the CJPS LMS contract on May 16, 2014. Because INL is not allowed to provide security under CJPS, INL must utilize an approved mechanism for security. Currently, the only approved mechanism for security is the WPS contract, which is not feasible for INL's use as currently written. [REDACTED] has authorized the use of a bridge contract until WPS-II is finalized. AQM and DS are currently in the preliminary stages of re-competition. **The new WPS-II contract will not be awarded before the last quarter of CY 2015 (December 31, 2015).** This action will allow security services at the INL facilities to continue uninterrupted until the WPS-II contract is awarded and a security vendor can be identified and transition to the new contract.

10. A listing of sources, if any, that expressed, in writing, an interest in the acquisition.

None

11. A statement of the actions, if any, the agency may take to remove or overcome any barriers to competition before any subsequent acquisition for the supplies or services required.

This J&A for other than full and open competition will be published in FEDBIZOpps in accordance with FAR Section 6.305 within 14 days.

[REDACTED]